IN RE: PETITION FOR SPECIAL EXCEPTION

NWS Pulaski Hwy, 879.52 ft. SW

of c/l Mohr's Lane

9802-10 Pulaski Highway 15th Election District 6th Councilmanic District * ZONING COMMISSIONER

BEFORE THE

OF BALTIMORE COUNTY

Legal Owner: Barbara A. Griffith * Case No. 97-417-X

Contract Purchaser: J. Scott Cooper Petitioners *

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 9802-10 Pulaski Highway in eastern Baltimore County. The Petition was filed by Barbara A. Griffith, property owner and J. Scott Cooper, Contract Purchaser. The Petition requests approval for use of the subject property for living quarters in a commercial building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Barbara Cooper, on behalf of J. Scott Cooper, Petitioner. Also present was Paul Rickman, the Professional Engineer who prepared the site plan. The Petitioner was represented by Thomas P. Dore, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is approximately 3.66 acres in area, split zoned B.R.-I.M. and B.R.-A.S. The site is a rectangularly shaped lot with frontage on Pulaski Highway in eastern Baltimore County. The rear of the property abuts the CSX Railroad line. The Petitioner proposes developing the site with a series of warehouse buildings. These buildings will be available to the public for rental for storage purposes. The proposal is similar to other mini ware-

ONE FAMILIAN

ONDER RESTANCE ON THE STATE OF THE STATE OF

house facilities located throughout the County. These facilities are generally utilized by the public for storage of furniture and other household items.

The Petitioner proposes to construct a two-story office building within the site. The office building is more particularly shown on Petitioner's Exhibit No. 2. The first floor will provide office facilities for employees of the company. The second floor is proposed as an apartment. Specifically, it is envisioned that a caretaker will reside in the building. This is proposed to provide on-site 24 hour security to the premises. As shown on Petitioner's Exhibit No. 2, a two bedroom apartment is being proposed. Approval for this residential apartment is, therefore, requested pursuant to the Petition for Special Exception.

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded to grant the Petition for Special Exception. The evidence presented was persuasive that there will be no detriment to the health safety or general welfare of the locale. To the contrary, the proposed live-in quarters will provide a measure of security to the vicinity and will allow the on-site activity to be closely monitored. Thus, the Petition for Special Exception shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT, IS ORDERED by the Zoning Commissioner of Baltimore County this day of May 1997 that, pursuant to the Petition for Special Exception, approval for use of the subject property for living quarters and a commercial building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (BCZR) be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

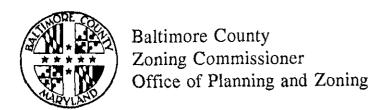
LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

LES:mmn

- 3-



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

May 21, 1997

Thomas P. Dore, Esquire 606 Baltimore Avenue Towson, Maryland 21204

RE: Case No. 97-417-X

Barbara A. Griffith/J. Scott Cooper, Petitioners

Property: 9802-9810 Pulaski Highway

Dear Mr. Dore:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted with the 30 day restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn encl.

Mr. J. Scott Cooper, 1543 Morse Rd., Forest Hill, Md. 21050

Mr. Barbara A. Griffith, by her Attorney in Fact, Lawrence V. Caulk

801 N. York Road, Towson, Md. 21204

BEFORE THE RE: PETITION FOR SPECIAL EXCEPTION 9802-10 Pulaski Highway, NW/S Pulaski Hwy, 879.52' SW of c/l Mohr's Lane ZONING COMMISSIONER 15th Election District, 6th Councilmanic OF BALTIMORE COUNTY Legal Owner(s): Barbara A. Griffith CASE NO. 97-417-X Contract Purchaser(s): J. Scott Cooper Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14 day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Thomas P. Dore, Esq., 606 Baltimore Avenue, #302, Towson, MD 21204, attorney for Petitioner.

417



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

9802-9810 Pulaski Highway

97-417-X

which is presently zoned

BR-IM-BR-AS

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

herein described property for living quarters in a commercial building in accordance with Section 236.4 of Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

| are to be bound by the zoning regulations and restrictions of B | saltimore County adopted pursuant to the Zoning Law for Baltimore County. |
|---|---|
| | I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petrion. |
| Contract Purchaser/Lessee: | Legal Owner(s): |
| J. Scott Cooper Type or Print Name: Signature | Barbara A. Griffith, by her Attorney in Factories of Print Name) Lawrence V. Caulk Signature Signature |
| 1543 Morse Rd. Address | (Type or Print Name) |
| Forest Hill Md. 21050 Gity State Zipcode | Signature |
| Attorney for Petitioner: | 801 North York Rd. (410) 337-9700 Phone No. |
| Thomas P. Dore (Type or Print Name) | Towson, Md. 21204 City State Decode Name, Address and phone number of representative to be contacted. |
| Signature | Name |
| 606 Baltimore Ave #302 (410) 828- Address Phone No. 5525 | Address Phone No |
| Towson Md. 21204 City State Zipcode | ESTIMATED LENGTH OF HEARING UNITARY SHEET FOR HEARING |
| | the following dates Next Two Months |
| | ALLOTHER |

REVIEWED SY:_

t, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filling of this petition, and further agree to and



417

H. MALMUD & ASSOCIATES, INC 100 CHURCH LANE BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

ZONING DESCRIPTION
ROUTE 40 SELF STORAGE
PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND

97-417-X

BEGINNING FOR THE SAME ON THE NORTHWEST SIDE OF PULASKI HIGHWAY (U.S. ROUTE 40), 150 FEET WIDE, AT A POINT DISTANT 859.82 FEET SOUTHWESTERLY FROM THE SOUTH SIDE OF MOHR'S LANE, SAID BEGINNING POINT BEING ALSO THE DIVIDING LINE BETWEEN LOT 5 & LOT 6 AS SHOWN ON THE PLAT ENTITLED "PLAT OF A RE-SURVEY OF LOTS NO. 1-5,7,8 AND 11 AS SHOWN ON SUBDIVISION OF PROPERTY OF EMILY M. GALL" RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 41, FOLIO 142, THENCE LEAVING PULASKI HIGHWAY AND BINDING ON SAID DIVIDING LINE.

- (1) NORTH 49° 04' 26" WEST 300.35 FEET TO THE SOUTHEAST RIGHT OF WAY LINE OF THE BALTIMORE & OHIO RAILROAD (NOW CSX RAILROAD), THENCE BINDING ON SAID RIGHT OF WAY LINE'
- (2) SOUTH 40°55' 34" WEST 556.81 FEET TO THE SOUTH OUTLINE OF LOT I AS SHOWN ON SAID PLAT OF A RE-SURVEY, THENCE BIND ON SAID OUTLINE:
- (3) SOUTH 58° 55' 00" EAST 304.84 FEBT TO PULASKI HIGHWAY, THENCE BINDING THEREON:
- (4) NORTH 40° 55' 34" EAST 504.70 FEET TO THE PLACE OF BEGINNING

CONTAINING 5.660 ACRES OF LAND, MORE OR LESS

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE

HERBERT MALMUD REGISTERED LAND SURVEYOR MARYLAND # 7558 FEBRUARY 9, 1997



FILE: DESRTE40

NOTICE OF HEATING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations to Baltimore County will hold a public hearing in Toweson. Mankand on the property identified herein as follows:

Case: #97-417-X
9802-10 Pulaski Highway
NW/S Pulaski Highway
NW/S Pulaski Highway
879-52 SW of of Mohr's Lane
15th Election District
6th Conneilman:
6th Conneilman
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8archar Purchaser(s):
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LAWRENCE E. SCHALDT Zoning Commissioner for

Rationer Chains
Mortes: (1) Harings are transcripted Accessible, for Special accommodations
Please Call 887-3353.
(2) For information concerning the File and/or Hamp, Please Call 887-3391.

C734030 4/193 April 10

CERTIFICATE OF PUBLICATION

TOWSON, MD., _

published in THE JEFFERSONIAN, a weekly newspaper published _successive THIS IS TO CERTIFY, that the annexed advertisement was weeks, the first publication appearing on $\mathcal{U}_{\mathcal{I}}$ $\mathcal{U}_{\mathcal{I}}$ 19 $\overline{\mathcal{I}_{\mathcal{I}}}$ in Towson, Baltimore County, Md., once in each of $_$

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

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WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF OSTING

| | RE: Case No.: $97-417-\times$ |
|--|--|
| | Petitioner/Developer: J. Scott Cooper |
| • | % THOMAS P. DORE, ATTY. |
| | Date of Hearing/Closing: 5/7/97 |
| Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 Attention: Ms. Gwendolyn Stephens Ladies and Gentlemen: | DEGETVE APR 2 9 1991 |
| This letter is to certify under the penalties of pure posted conspicuously on the property lo | cated at 9802-10 Palaski Hichway |
| The sign(s) were posted on | 4 / 22 / 97 (Month, Day, Year) |
| PLACE 120 CAMPAN TO THE | Sincerely, Sincerely, Signature of Sign Foster and Date) CICHARO E - HOFFINIAN (Printed Name) 904 DELLICONDE (Address) TALLSTON, MO. 21047 (City, State, Zip Code) (A10) 879-3122 (Telephone Number) |
| BOZ-10 PULASKI HEWY | |



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

(Revised 09/24/96)

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

| | ARNOLD JABLON, DIRECTOR |
|-------------------------------------|---|
| For newspaper advertising: | نیو ہوا <u>سے بنا ہوں میں بند جہ ب</u> ند ہوں جو اور اور اور اور اور اور اور اور اور او |
| Item No.: 417 | |
| Petitioner: J. Scott Cooper | |
| Location: 9802 - 9810 Pulusk. | Highway |
| PLEASE FORWARD ADVERTISING BILL TO: | • / |
| NAME: Thomas P. Dore | |
| ADDRESS: 606 Bultimon Ave - 7 | 7 30 Z |
| 70450n, MD 21204 | |
| PHONE NUMBER: (4/0) 828-5525 | |
| | |
| AJ:ggs | |

417

| Request for Zoning: Variance, Special Exception, or Special Hearing | | |
|---|--|--|
| Date to be Posted: Anytime before but no later than | | |
| Format for Sign Printing, Black Letters on White Background: | | |

| ZONING NOTICE | | |
|---|--|--|
| Case No.: | | |
| | A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD | |
| PLACE: <u>*</u> | | |
| DATE AND TIME: | | |
| REQUEST: //ving | quarteis in a commercial | |
| | | |
| POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391. | | |
| DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW | | |
| HANDICAPPED ACCESSIBLE | | |
| | | |

9/96 post.4.doc

*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.

TO: PUTUXENT PUBLISHING COMPANY
April 10, 1997 Issue - Jeffersonian

Please foward billing to:

Thomas P. Dore, Essq. 606 Baltimore Avenue #302 Towson, MD 21204 828-5525

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 97-417-X
9802-10 Pulaski Highway
NW/S Pulaski Highway, 879.52' SW of c/1 Mohr's Lane
15th Election District - 6th Councilmanic
Legal Owner(s): Barbara A. Griffith
Contract Purchaser(s): J. Scott Cooper

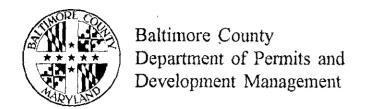
Special Exception for living quarters in a commercial building.

HEARING: WEDNESDAY, MAY 7, 1997 at 2:00 p.m., Room 106, County Office Bldg, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 97-417-X
9802-10 Pulaski Highway
NW/S Pulaski Highway, 879.52' SW of c/l Mohr's Lane
15th Election District - 6th Councilmanic
Legal Owner(s): Barbara A. Griffith
Contract Purchaser(s): J. Scott Cooper

Special Exception for living quarters in a commercial building.

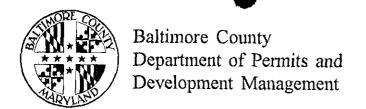
HEARING: WEDNESDAY, MAY 7, 1997 at 2:00 p.m., Room 106, County Office Bldg, 111 W. Chesapeake Avenue.

Arnold Jablon Director

cc: Barbara A. Griffith
J. Scott Cooper
Thomas P. Dore, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 22, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 687-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 6, 1997

Thomas P. Dore, Esquire 606 Baltimore Avenue, Suite 302 Towson, MD 21204

RE: Item No.: 417

Case No.: 97-417-X

Petitioner: Barbara A. Griffith

Dear Mr. Dore:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 27, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

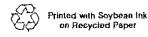
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 14, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for April 14, 1997

Item Nos. 410, 411, 413, 416, 417, 422, 423 and 424

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

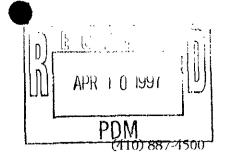
RWB:HJO:cab

cc: File

ZONE414.NOC

Baltimore County Government Fire Department





700 East Joppa Road Suite 901 Towson, MD 21286-5500

April 9, 1992

Arnold Jables, Director Zeming Administration and Development Management Baltimure County Office Building Towson, MD 21204 MAIL STOR-1105

PT: Property Owner: BARBARA A. GRIFFITH

Location: DISTRIBUTION MEETING OF APRIL 7, 1997

Itom No.: 417

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plane for the property.

b. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Fire Safety Code", 1991 edition prior to calcupancy.

REVIEWER: I.T. ROBERT P. SAUERWALD

Tiro Marshal Offico, PHONE 887-4881, MS 1102F

co: File





David L. Winstead Secretary

Parker F. Williams Administrator

April 7, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County Item No. 417 US 40 Self Storage Mile Post 19.60

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the special exception.

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Nine (9) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost and in an even thousand dollar increment. These must be made payable to the State of Maryland (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- c. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

My telephone number is 410-545-5600 (Fax# 333-1041)

Ms Roslyn Eubanks Page Two April 7, 1997

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits

Division

LG/eu

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Permits and Development

Management

FROM: Pat Keller

Office of Planning

SUBJECT: Petitions from the Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 411, 416, 417, 421, and 424

Prepared by:

Division Chief: (

PK/JL

nocom.wps

YLAND
CE
DATE: April 7, 1997

PDM

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: Gpr. / 9, 97

FROM:

R. Bruce Seeley RS/G/ Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: Copril

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

410

418

411

419

RBS:sp

BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

#411 --- JLL

- 1. No sign form in folder (see note in folder).
- 2. No review information on bottom of petition form.

#413 --- MJK

1. Sign form is incorrect/incomplete.

#415 --- MJK

- 1. Need authorization for person signing for legal owner.
- 2. Need printed or typed name of person signing for contract purchaser.
- 3. Need printed or typed title of person signing for contract purchaser.
- 4. Need authorization for person signing for contract purchaser.

#416 --- JRA

Wrong sign form used.

#417 --- MJK

- 1. Sign form is incorrect/incomplete.
- 2. Need title of person signing for legal owner.
- 3. Need authorization for person signing for legal owner.

#418 --- JLL

1. No sign form in folder (see note in folder).

